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tion of an independent contractor, liable for his own wrongs to the patient, whom he undertakes to care for, but involving the hospital in no liability if due care has been taken in his selection. *Schloendorff* v. *N. Y. Hospital,* 211 N. Y. 125. The latter ground is supported by the great weight of authority in that the only negligence the charitable corporation can be charged with is that involved in the selection of its servants. *Patrol* v. *Boyd,* 120 Pa. 624; *Noble* v. *Hahnemann Hospital of Rochester,* 98 N. Y. Supp. 605; *Eighmy* v. *Union Pac. Ry. Co.,* 93 Ia. 538; *Williams* v. *Louisville Ind. School of Reform,* 95 Ky. 251; *Perry* v. *House of Refuge,* 63 Md. 20; *Murtaugh* v. *City of St. Louis,* 44 Mo. 620; *Richardson* v. *Carbon Hill Coal Co.,* 6 Wash. 52. See also, 5 MICH L. REV. 552-9, 662-65. Contra, *Glavin* v. *Rhode Island Hospital,* 12 R. I. 411 (not authority in Rhode Island, since Gen. Laws of R. I. (1896), p. 538, 539). *Kellog* v. *Church Foundation of Long Island,* 112 N. Y. Supp. 566, sometimes cited contra, is not really so, since it recognizes, as does the principal case, that a hospital is not liable for the acts of physicians, nurses, and attendants, but holds that there is a liability for acts of its servants, such as the driver of an ambulance.

WILLS—CAPACITY OF BLIND MAN.—A blind man, desirous of making his will, called in a friend to write it; upon completion it was read over to the testator as a whole, he expressed himself as satisfied with the result and signed the will in the following manner: the will was placed on his lap and the person who had written the will, holding the pen, guided the hand of the testator while he made his mark; then the writer of the will, together with another who had been summoned as a witness, placed the will on the table about four feet away from the testator and signed as subscribing witnesses. *Held,* in a proceeding to contest the will on the ground that it was not subscribed in the presence of the testator, that a blind man could make a valid will and that the above circumstances showed a sufficient signing in the presence of the testator, since his intellect and hearing remained unimpaired, and he was conscious of what was going on around him. *In re Allred's Will* (N. C. 1915), 86 S. E. 1047.

In early times the courts were inclined to give a restricted meaning to the statutory requirement "in the presence of the testator," arguing that it meant "in the sight of or within the scope of the vision." The result of such a construction operated to prevent a blind man from making a will. A broader and more liberal construction followed, until now it is well settled that a blind man may know of the presence of the witnesses without sight and that he may make a valid will. *Bynum* v. *Bynum,* 33 N. C. 632; *Ray* v. *Hill,* 3 Strob. (S. C.) 297, 49 Am. Dec. 647; *Goods of Piercy,* 1 Rob. Ecc. 278 Abbott 330; *Reynolds* v. *Reynolds,* 1 Speers (S. C.) 253, 40 Am. Dec. 599; *Riggs* v. *Riggs,* 135 Mass. 238, 46 Am. Rep. 464. These cases all emphasize the point that the superintending control usually exercised by sight, must be transferred to the other senses. The above principle was adhered to in *State* v. *Martin,* 2 La. Ann. 667, sustaining the will of Francois Martin, who was a member of the Supreme Court of Louisiana for thirty-one years, the last eight of which he was totally blind. See UNDERHILL, WILLS, § 196.